



REPORT TO THE LEGISLATURE

ASSEMBLY BILL 1886

SCHOOL ZONE FINES

**California Highway Patrol
May 2006**

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ASSEMBLY BILL 1886**

SCHOOL ZONE FINES

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EXECUTIVE SUMMARY

Introduction

On September 15, 2002, Governor Davis signed Assembly Bill (AB) 1886 (Jackson), which established California Vehicle Code (CVC) Section 42011 (Annex A). This law, which went into effect January 1, 2003, doubled or increased the fines in the case of misdemeanors or infractions, occurring in specially posted school zones, as specified in Alameda, Santa Barbara, and Ventura Counties or any city in these counties where the program was adopted by a vote of the city council, or the county board of supervisors in collaboration with the local school district.

This bill required the county treasurer to deposit the amount of the enhanced portion of the fine into a special account to be used exclusively to pay for the cost of school pedestrian-bicyclist safety programs.

With passage of AB 1886, any city or county that adopted this legislation was required to promptly notify the California Highway Patrol (CHP) and the law enforcement agency having the primary traffic investigative authority. AB 1886 also required a pilot program be implemented, and the results be submitted in a report to the Legislature by the Commissioner of the CHP.

Methodology

The CHP's Research and Planning Section was designated as the office of primary interest for this pilot program. In January 2003, letters were sent to Alameda, Santa Barbara, and Ventura Counties, and cities within these counties, informing them of the passage of AB 1886 (Annex B). In order for the provisions of this legislation to be applicable, the governing board of the county/city had to approve a resolution adopting this section and submit it to the CHP and the law enforcement agency having primary traffic investigative authority for that jurisdiction.

In order to collect information as to the effectiveness of the Double Fine School Zone (DFSZ) pedestrian-bicyclist safety program, letters were written in September 2005, to the participating police agencies, county auditor controller's offices, and public works departments requesting pertinent information for inclusion in the report (Annex C).

Findings

- The cost to install DFSZ signs differed between cities and counties, and proved to be very costly.
- Very little money was generated from the enhanced portion of the fine.
- Some police departments did not have adequate staff to effectively patrol the schools.
- Due to the lack of funds generated, no school pedestrian-bicyclist safety programs were created.
- Due to the number of participating schools, some agencies did not have the capacity to monitor or track the number of collisions that occurred in the DFSZs.

- Some city police departments, due to personnel changes, did not track this legislation.
- No statistics were available before the implementation of the school pedestrian-bicyclist safety pilot program for comparison.

Options/Alternatives

Although the findings do not support the continuation of the pilot program, listed below are some options/alternatives that address school zone safety:

- School districts and local authorities should evaluate the current engineering of school zones to determine if better options are available to keep the children safe (e.g. review speed limits, install traffic signs, or speed bumps).
- School districts could work with their law enforcement agencies to determine if more enforcement could be provided to ensure the safety of children.
- Continue the pilot program and provide funding to local authorities to allow the posting of signs to establish additional DFSZs. Due to the limited amount of funding generated by the DFSZs, the duration of the program needs to be long enough to generate adequate funding for safety programs. Also, mandate through legislation the collection of citation and collision enforcement data to determine if the program is successful.
- Let the legislation sunset and conclude the DFSZ pilot program.

Conclusion

After analysis of the information provided, the CHP concludes there is no compelling evidence to lead us to endorse Section 42011 CVC. No schools within Alameda, Santa Barbara, or Ventura Counties requested DFSZ funds to implement the school pedestrian-bicyclist safety programs. It is unknown if the DFSZ signs improved the safety of school children within the participating counties. Due to the high cost of installing DFSZ signs and the small amount of money generated, the pilot program was not cost effective based on the information collected.

REPORT TO THE LEGISLATURE

ASSEMBLY BILL 1886

Introduction

On September 15, 2002, Governor Davis signed Assembly Bill (AB) 1886 (Jackson), which established California Vehicle Code Section (CVC) 42011 (Annex A). With passage of AB 1886, any city or county that adopted this legislation was required to promptly notify the California Highway Patrol (CHP) and the law enforcement agency having the primary traffic investigative authority.

With the passage of AB 1886, the Commissioner of the CHP was requested to conduct a pilot program on the effectiveness of the school pedestrian-bicyclist safety program and whether the added fines improved traffic and pedestrian safety with the participating school zones. The three counties that were selected to participate in the pilot program were Alameda, Ventura, and Santa Barbara.

Methodology

The CHP's Research and Planning Section was designated as the office of primary interest for this pilot program. In January 2003, letters were sent to Alameda, Santa Barbara, and Ventura Counties and cities within these counties informing them of the passage of AB 1886. A copy of the letter can be found in Annex B. In order for the provisions of this legislation to be applicable, the governing board of the county/city had to approve a resolution adopting this section and submit it to the CHP and the law enforcement agency having primary traffic investigative authority for that jurisdiction.

In order to collect information as to the effectiveness of the pedestrian-bicyclist safety program, letters were written in September 2005, to the participating police agencies, county auditor controller's offices, and public works departments requesting pertinent information for inclusion in the report. Copies of letters can be found in Annex C. The information received was utilized to write this report to the legislature.

Participants for Alameda, Ventura, and Santa Barbara Counties and Cities

In order to participate in the double fine school zone (DFSZ) pedestrian-bicyclist safety program, Alameda, Ventura, and Santa Barbara Counties and the cities within these counties had to pass resolutions. Once passed, a copy of the resolution was required to be sent to the CHP and the law enforcement agency having primary traffic investigative authority. Copies of the resolutions received by the CHP can be found in Annex D. The participating counties and cities in the DFSZ pedestrian-bicyclist safety program are as follows:

ALAMEDA COUNTY	DATE OF RESOLUTION
Alameda County	April 29, 2003
City of Dublin	March 4, 2003
City of Fremont	July 1, 2003
City of Hayward	May 27, 2003
City of Livermore	October 27, 2003
City of Newark	July 10, 2003
City of Oakland	February 27, 2003
City of San Leandro	September 2, 2003
City of Union City	September 23, 2003
VENTURA COUNTY	DATE OF RESOLUTION
Ventura County	May 6, 2003
City of Ventura	September 15, 2003
City of Fillmore	July 29, 2003
City of Ojai	January 13, 2004
SANTA BARBARA COUNTY	DATE OF RESOLUTION
Santa Barbara County	December 10, 2002
City of Santa Barbara	May 28, 2003
City of Buellton	February 24, 2003
City of Goleta	June 2, 2003
City of Lompoc	May 6, 2003
City of Solvang	August 25, 2003

Fiscal Impact



Once resolutions were passed, the participants were required to install signs alerting the public that fines were doubled in posted school zones. On March 19, 2003, Caltrans approved Traffic Fine Doubled Signs (SR59), that when used would be placed below a School Advanced Warning Sign (W63). This sign could only be used in specially posted school zones and was to remain in effect until January 1, 2007, unless an enacted statute deleted or extended this date. The sign approved by Caltrans can be found in Annex E.

Double fine school zone signs were installed at different intervals throughout 2003-2004. The cost to install signs differed from county to county and city to city. Some agencies, such as the city of Ventura made comprehensive upgrades to their school zones, while the smaller cities took a conservative approach. In some cities new poles had to be installed which increased the cost, whereas other cities mounted their signs on existing poles whenever possible. The cost was also affected by the number of schools participating in the DFSZ pedestrian-bicyclist safety program.

ALAMEDA COUNTY	EXPENSES INCURRED
Alameda County	Unavailable
City of Dublin	\$5,000.00
City of Fremont	\$33,214.00
City of Hayward	Unavailable
City of Livermore	\$6,270.00
City of Newark	\$1,962.00
City of Oakland	Unavailable
City of San Leandro	\$4,250.00
City of Union City	Unavailable
VENTURA COUNTY	EXPENSES INCURRED
Ventura County	\$5,600.00
City of Ventura	\$33,000.00
City of Fillmore	Unavailable
City of Ojai	\$1,800.00
SANTA BARBARA COUNTY	EXPENSES INCURRED
Santa Barbara County	\$5,034.88
City of Santa Barbara	\$187,000.00
City of Buellton	No signs posted
City of Goleta	\$4,450.00
City of Lompoc	\$22,838.87
City of Solvang	\$300.00

Citation and Collision Information

In January 2003, the CHP Research and Planning Section, sent letters to the city councils and police departments within Alameda, Ventura, and Santa Barbara Counties informing them of the provisions of AB 1886 and that information would be required from their agencies for inclusion in this report. It was up to the counties and cities as to how this information would be tracked.

The CHP established internal procedures to track citation and collision data that occurred in their jurisdiction of the DFSZs. The special code 506 was designated to capture data on all DFSZ citation and collision reports. Special code 506 was entered in the “Special” box on the citations that were issued. The CHP did not report any accidents within these specially marked school zones. The information received for citations issued was provided by the CHP Support Services Section from the Statewide Integrated Traffic Records System.

On September 2, 2005, letters were sent to police departments within the participating counties and cities requesting information on citations that were issued and collisions that occurred in the DFSZs (Annex C). The following information was provided for inclusion in this report.

ALAMEDA COUNTY	CITATIONS ISSUED	COLLISIONS REPORTED
Alameda County	28 citations	No collisions reported
City of Dublin	25 citations	1 collision reported
City of Fremont	87 citations	No collisions reported
City of Hayward	0 citations	No collisions reported
City of Livermore	35 citations	58 collisions reported
City of Newark	Unable to track	12 collisions reported
City of Oakland	No information received	No information received
City of San Leandro	No information received	No information received
City of Union City	Did not track	Unable to determine
VENTURA COUNTY	CITATIONS ISSUED	COLLISIONS REPORTED
Ventura County	No information received	No information received
City of Ventura	No information received	No information received
City of Fillmore	0 citations	No collisions reported
City of Ojai	Not able to retrieve	42 collisions reported
SANTA BARBARA COUNTY	CITATIONS ISSUED	COLLISIONS REPORTED
Santa Barbara County	59 citations	No collisions reported
City of Santa Barbara	20 citations	158 collisions
City of Buellton	No information received	No collisions reported
City of Goleta	52 citations	3 collisions
City of Lompoc	0 citations	0 collisions
City of Solvang	0 citations	0 collisions

Agencies were requested to provide collision and citation data for the DFSZs from prior years to use for comparison purposes. Only one agency was able to provide collision information. The city of Livermore indicated that 92 collisions occurred in 2001/2002 in their DFSZs.

Revenue Generated from Citations and Money Disbursed to Schools for Safety Programs

After the resolutions were passed, the participating counties and cities were required to set up special accounts with their county treasury department, to be used exclusively to pay for the cost of new school pedestrian-bicyclist safety programs administered in accordance with Section 45452 of the Education Code.

Only the base portion of the fine was doubled, meaning that only \$35.00 per citation goes into the special account. The money that was generated from the enhanced portion of the fines was so minimal that no schools received money to create new school pedestrian/bicyclist safety programs. The following information was provided from the auditor controller's office for each county.

ALAMEDA COUNTY	REVENUE GENERATED FROM FINES	MONEY SENT TO SCHOOL FOR SAFETY PROGRAMS
Alameda County	\$100.73	None
City of Dublin	\$65.41	None
City of Fremont	\$1,816.06	None
City of Hayward	\$0.00	None
City of Livermore	\$187.00	None
City of Newark	\$277.80	None
City of Oakland	\$1,044.42	None
City of San Leandro	\$0.00	None
City of Union City	\$30.19	None
VENTURA COUNTY	REVENUE GENERATED FROM FINES	MONEY SENT TO SCHOOL FOR SAFETY PROGRAMS
Ventura County	\$270.00	None
City of Ventura	\$1,293.09	None
City of Fillmore	\$35.00	None
City of Ojai	\$345.00	None
SANTA BARBARA COUNTY	REVENUE GENERATED FROM FINES	MONEY SENT TO SCHOOL FOR SAFETY PROGRAM
Santa Barbara County	\$2,316.94	None
City of Santa Barbara	\$171.50	None
City of Buellton	\$0.00	None
City of Goleta	\$1,783.60	None
City of Lompoc	\$0.00	None
City of Solvang	\$0.00	None

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